

CITY OF NEWPORT DOCKET OF THE COUNCIL

The following items of business, filed with the City Clerk under the Rules of the Council, will come before the Council at its regular meeting to be held on July 14, 2010, at 6:30 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

CITIZEN'S FORUM: (Speakers must sign in with the City Clerk). The Citizen's Forum period shall be no longer than fifteen minutes and citizens may address the Council on **one subject only and for no longer than three minutes**. Issues to be discussed shall not include matters to be considered or discussed as part of the regular council agenda and must be related to substantive city business. No comments regarding personnel or job performance are allowed.

1. **CONSENT CALENDAR.** (THE CONSENT CALENDAR IS APPROVED IN ITS ENTIRETY UNLESS THE COUNCIL REMOVES AN ITEM FOR DISCUSSION. ALL LICENSES ARE GRANTED SUBJECT TO COMPLIANCE WITH ORDINANCES #31-80 AND #98-40.)

- a. Special Event Licenses:

- 1) Newport County Chamber of Commerce, d/b/a Newport County Chamber Community Fund-Beach Soiree; Easton's Beach Rotunda, July 15, 2010 from 6:00 p.m. to 11:00 p.m.
- 2) Newport Film, d/b/a Newport Film @ Int'l Tennis Hall of Fame (outdoor moving screening); International Tennis Hall of Fame, July 23, 2010, from 6:00 p.m. to 11:00 p.m. (Rain Date-July 25, 2010)

It is the practice of the Council to meet at 6:20 p.m. in the second-floor Conference Room to discuss docket items. The public is invited to attend. The docket, along with all applications and communications, can be viewed on the City of Newport website: www.cityofnewport.com – "Current Newport City News & Announcements" – Click on "MORE NEWS." Council Meeting can be viewed on Cox Cable, Channel 18; check local listings for dates and times. A DVD of the Council Meeting is also available at the Newport Public Library within 48 hrs. of the meeting.

LIVE VIDEO CONFERENCING OF COUNCIL MEETINGS AND WORKSHOPS WILL BE AVAILABLE AT THE NEWPORT POLICE STATION, WHICH IS ACCESSIBLE AND MEETS ADA REQUIREMENTS, BASED UPON NOTIFICATION TO THE CITY MANAGER'S OFFICE (845-5429) A MINIMUM OF 48 HOURS IN ADVANCE OF THE MEETING. INDIVIDUALS REQUIRING INTERPRETER OR OTHER ACCOMMODATIONS MUST ALSO NOTIFY THE CITY MANAGER'S OFFICE 48 HOURS IN ADVANCE OF THE MEETING.

- 3) Newport Art Museum, d/b/a Fourth Fridays (concerts); Newport Art Museum, 76 Bellevue Ave., July 23, 2010, September 24, 2010, October 22, 2010 and November 26, 2010 from 5:30 p.m. to 8:30 p.m.
 - 4) Newport Art Museum, d/b/a Wet Paint; Newport Art Museum, 76 Bellevue Ave., August 21, 2010, from 5:30 p.m. to 8:00 p.m. and August 22, 2010 from 11:30 a.m. to 5:00 p.m. (art auction between 3:30 p.m. and 5:00 p.m.)
 - 5) Turning Around Ministries, Inc., d/b/a TAM Walk-a-thon, September 11, 2010, from 8:30 a.m. to noon (beginning and ending on Dearborn St. – route attached to license application)
 - 6) Newport Brokerage Boatshow, LLC, d/b/a Newport Brokerage Boatshow; The Newport Shipyard, September 16 -18, 2010, from 10:00 a.m. to 6:00 p.m.; Sept. 19, 2010, from 10:00 a.m. to 5:00 p.m.
 - 7) Mary Ann Martin, d/b/a Unique Boutique Craft Fair; Easton's Beach Rotunda, November 6, 2010, from 10:00 a.m. to 4:00 p.m.
 - 8) Lower Thames Business Association, d/b/a "Thursdays on Lower Thames"; August 2, 3, 4, 5, 12, 19, 26; Sept. 2, 9, 16, 23, 30, 2010, (List of locations attached to application)
- b. Holiday Selling License, New:
- 1) Relishing Dash, Inc., d/b/a Relishing Dash, 148 Bellevue Ave.
 - 2) Ashir Waseem, d/b/a Southwest Stone Jewelry, 424 Thames St.
 - 3) Long Wharf Intervals Owners' Association, d/b/a Long Wharf Seaside General, 5 Washington St.
- c. Holiday Selling License, Renewal, Dennis C. Kelley, d/b/a D.Kelley Fine Used Books, 330 Broadway

- d. Second Hand License, Renewal, Dennis C. Kelley, d/b/a D. Kelley Fine Used Books, 330 Broadway
- e. Drain Layer License, Renewal:
 - 1) NCD Developers, Inc., d/b/a NCD, 137 Ferry Rd., Bristol, RI
 - 2) H. Lacerda, Jr. Landscaping and Construction, LLC, d/b/a H. Lacerda, Jr., Landscaping and Construction, 465 Oliphant Lane, Middletown, RI
- f. Solid Waster Hauler License, Renewal, ABC Disposal Service, Inc., ABC Disposal Service, Inc., 1245 Shawmut Ave., New Bedford, MA
- g. Pedicab Operator License, Jared Louw, 655 Allen Ave., North Attleboro, MA
- h. Banner License, Lower Thames Business Association, between the Red Parrot and Salas' Restaurants, July 26 to August 4, 2010.
- i. Communication from the Rev. Mike Sullivan, Graceway Community Church, requesting permission to use Miantonomi Park on August 15 and September 5, 2010, for their "Service in the Park" summer program. (Approve subject to details being worked out with the city administration and compliance with the Noise Ordinance)
- j. Communication from Michael Schnack, President, Jamestown Town Council, inviting participation in a "Congress of Councils" meeting on potential responses to the proposed Hess LNG terminal in Mt. Hope Bay. (Receive)
- k. Communication from Mark A. Charleson, Esq., re: May 30, 2010, Noise Violation by West Deck (@ The Deck), upon complaint by Coddington Landing Condominium Association. (Receive and refer to city administration)
- l. CRMC Notice of Intent to change management plans, policies, procedures and regulations. (Receive)

- m. CRMC Cease and Desist Order, re: Newstone Development, LLC-obstruction of CRMC designated right-of-way Z-18 adjacent to property located at Plat 32, Lot 18, 2, 3, Brown and Howard Wharf, in violation of CRMC assent B88-6-12 (stipulation D) (Receive)
- n. RI Department of Environmental Management, Notice #10-032, re: Application of the City of Newport for a State of Rhode Island Water Quality Certification to hand-dig small creeks within former high marsh areas associated with the previously approved Gooseneck Cove restoration area. (Receive)
- o. RI Department of Environmental Management, Notice #10-030, re: Application of the City of Newport for a State of Rhode Island Water Quality Certification to construct the Perrotti Park Long Wharf Public Transient Boating dock public boating facility. (Receive)
- p. RI Department of Environmental Management, Notice #10-029, re: Application of the City of Newport for a State of Rhode Island Water Quality Certification to construct a public boating facility at Ann Street. (Receive)
- q. City of Newport AD Hoc Committee on Wastewater and Storm Water System Improvements Semi-annual Report (Receive)
- r. City of Newport Trust & Investment Commission Annual Report (Receive)
- s. Claims: (Receive and refer to City Solicitor's Office)
 - a. Theodore Springett (by attorney)
 - b. William Heydt

LICENSES AND PERMITS

- 2. Application for an Annual Entertainment License, Class A & B, New, Mermaids Newport, LLC, d/b/a Poor Richard's/Benamins, 254 Thames Street (First Hearing)

COMMUNICATIONS AND PETITIONS

3. Communication from the Arts & Cultural Alliance of Newport County, re: *BridgeFest*, August 2-5, 2010.

4. APPOINTMENTS TO BOARDS AND COMMISSIONS

Board of Tax Appeals (1 vacancy) – Paul A. Bernard

Historic District Commission (2 vacancies) – Michael Conroy

Housing Authority of Newport – Reappointment of Frank Coleman

RESOLUTIONS

5. Fireworks – S. Waluk

ORDINANCES

6. **RECONSIDERATION OF VOTE TAKEN ON JUNE 23, 2010:** Amending Chapter 17.80 of the Codified Ordinances, entitled, “Historic District Zoning (Second Reading)
7. Amending Chapter 10.20.140, entitled, “Parking Boat Trailers,” Paragraph B, to reduce seasonal resident parking stickers at the King Park Parking Lot to \$25.00 (Second Reading)

COMMUNICATIONS FROM THE CITY MANAGER

8. Communication #4729/10, re: CRMC File No. 2010-05-070, Application of the City of Newport for an Assent to Construct and Maintain a Public “Touch and Go” Boating Facility -- Ann Street.
9. Communication #4730/10, re: Agreement between the City of Newport and Aquidneck Island Reuse Planning Authority (with accompanying resolution)
10. Communication #4731/10, re: Motor Vehicle Tax Exemption (with accompanying ordinance)

11. Communication #4732/10, re: Lease Agreement Amendment for Cell Phone Antennae at the Reservoir Rd. Middletown Water Storage Tank (with accompanying resolution)

ADJOURN AS COUNCIL AND CONVENE AS BOARD OF LICENSE COMMISSIONERS

BOARD OF LICENSE COMMISSIONERS

CONSENT CALENDAR

1. Class F Daily Liquor License- Newport Art Museum, d/b/a Wet Paint, August 2, 2010 from 5:30 p.m. to 8:00 p.m. and August 22, 2010, from 11:30 a.m. to 5:00 p.m.
2. Class F-1 Daily Liquor License- Newport Art Museum, d/b/a Fourth Fridays, Newport Art Museum, 76 Bellevue Ave.; July 23, 2010, September 24, 2010, October 22, 2010 and November 26, 2010 from 5:30 p.m. to 8:30 p.m.

ADJOURN

Kathleen M. Silvia
City Clerk

July 7, 2010